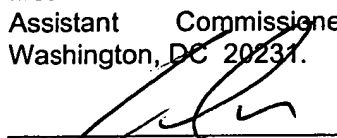


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PATENT

I certify that on 12/19/01, which is the date I am signing this certificate, this correspondence and all attachments mentioned are being deposited in the United States Postal Service as first class in an envelope addressed to: Assistant Commissioner for Patents, Washington, DC 20231.


Craig A. Slavin

Applicant: Fleishman et al.

Serial No.: 08/529,354

Filing Date: September 18, 1995

Title: Systems and Methods for
Electronically Altering the Energy Emitting
Characteristics of an Electrode Array to
Create Different Lesion Patterns
in Body Tissue

Group Art Unit: 3739

Examiner: D. Shay

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Assistant Commissioner for Patents
Washington, D.C. 20231

BOX AF
Expedited Procedure

AMENDMENT IN RESPONSE TO THE FINAL OFFICE ACTION

DATED MAY 10, 2001

In response to the Final Office Action dated May 10, 2001, and further to the Notice of Appeal filed August 8, 2001, time for response to which has been extended by the enclosed petition to January 8, 2001, please amend the above-identified application as follows:

In the Claims:

Please cancel claims 13, 16, 17, 19, 20, 41 and 42 without prejudice.

REMARKS

No claims have been amended or added. Claims 13, 16, 17, 19, 20, 41 and 42 have been canceled in order to simplify the issues for appeal.¹ Claims 28, 30, 32, 33, 35, 36, 38-40 and 43-46 remain in the application. Reexamination and reconsideration of the application, as amended, are respectfully requested.

The following rejections have been rendered moot by the cancellation of claims 13, 16, 17, 19, 20, 41 and 42: the rejection of claims 13, 16, 17, 19 and 20 under 35 U.S.C. § 112, first paragraph; the rejection of claims 13, 16, 19 and 20 under 35 U.S.C. § 102 as being anticipated by the Eggers '443 patent; the rejection of claim 17 under 35 U.S.C. § 103 as being unpatentable over the combined teachings of the Eggers '443 and Avitall '297 patents; and the rejection of claims 41 and 42 under 35 U.S.C. § 103 as being unpatentable over the combined teachings of the Eggers '443 and Desai '198 patents. Accordingly, the amendment should be entered in accordance with 37 C.F.R. § 1.116(a) and MPEP 714.12 and 714.13.

It is respectfully submitted that the claims in the application patentably distinguish over the cited and applied references and are in condition for allowance for the reasons discussed in the response filed June 29, 2001. Reexamination and reconsideration of the application, as amended, are respectfully requested. Allowance of the claims at an early date is courteously solicited.

If for any reason the Examiner finds the application other than in condition for allowance, the Examiner is respectfully requested to call applicant's undersigned representative at (310) 563-1458 to discuss the steps necessary for placing the application in condition for allowance.

The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 50-0638. Should such

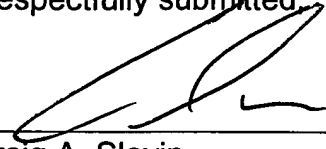
¹ Because the 35 U.S.C. § 112 issues associated with claims 13, 16, 17, 19 and 20 (as well as claims 41 and 42 which depend from claim 16) appear to be more form than

fees be associated with an extension of time, applicant respectfully requests that this paper be considered a petition therefor.

12/19/01
Date

Henricks, Slavin & Holmes LLP
840 Apollo Street, Suite 200
El Segundo, CA 90245
(310) 563-1458
(310) 563-1460 (Facsimile)

Respectfully submitted,



Craig A. Slavin
Reg. No. 35,362
Attorney for Applicant

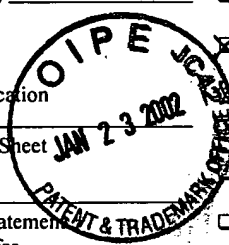
substance, applicant will simply re-file a slightly modified version of these claims in a continuation application.

PATENT

Client Name & Docket No. EPT 1516-065
Title: SYSTEMS & METHODS FOR ELECTRONICALLY...
Applicant: Fleischman
Ser.# / Pat.# 08/527,357 Filing Date: 7/18/95

Please Acknowledge receipt of:

- | | |
|---|--|
| <input type="checkbox"/> Application having _____ pages
of specification and claims, and _____
sheets of drawings, FIG(S) _____ | <input type="checkbox"/> Letter |
| <input type="checkbox"/> Declaration / Oath | <input type="checkbox"/> Preliminary Amendment |
| <input type="checkbox"/> Power of Attorney | <input type="checkbox"/> Request for Priority and Pri. Doc. |
| <input type="checkbox"/> Small Entity Statement | <input type="checkbox"/> Reply to Office Action |
| <input type="checkbox"/> Request for Non-Publication | <input type="checkbox"/> Check # _____ |
| <input type="checkbox"/> Check # _____ | <input checked="" type="checkbox"/> Request for Ext. of Time |
| <input type="checkbox"/> Patent Assignment Cover Sheet | <input checked="" type="checkbox"/> Check # <u>1604</u> \$ <u>920</u> |
| <input type="checkbox"/> Assignment | <input type="checkbox"/> Reply to Final Rejection |
| <input type="checkbox"/> Check # _____ | <input checked="" type="checkbox"/> Check # _____ |
| <input type="checkbox"/> Information Disclosure Statement | <input type="checkbox"/> Corrected Drawings _____ sheets, FIG(S) _____ |
| <input type="checkbox"/> Form PTO-1449 & Refer. | <input type="checkbox"/> Issue Fee Transmittal |
| <input type="checkbox"/> Certification | <input type="checkbox"/> Check # _____ |
| <input type="checkbox"/> Petition | <input type="checkbox"/> Other _____ |
| <input type="checkbox"/> Check # _____ | <input type="checkbox"/> Maintenance Fee Transmittal Form |
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| | By <u>CS</u> |



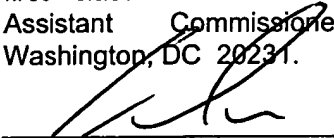
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93-10227051

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Assistant Commissioner for Patents
Washington, D.C. 20231

BOX AF
Expedited Procedur

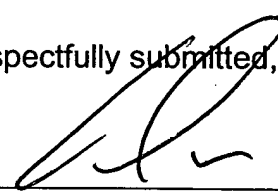
PETITION FOR THREE-MONTH EXTENSION OF TIME

Sir:

Applicant petitions for a three-month extension of time to respond to the outstanding office action for the above-identified application. Our check for \$920 for the fee is enclosed. We authorize the Commissioner to charge any additional fees to our deposit account No. 50-0638.

12/19/01
Date

Respectfully submitted,


Craig A. Slavin
Reg. No. 35,362
Attorney for Applicant

Henricks, Slavin & Holmes LLP
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El Segundo, CA 90245
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